

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Erin E. Chancellor, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 7, 2023

The Honorable Dade Phelan
Texas House of Representatives
Capitol Station
PO Box 2910
Austin, Texas 78768-2910

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

House Bill (HB) 2819, as Filed by Representative Travis Clardy - Relating to the transfer of the ownership rights of the City of Nacogdoches in the Central Heights Water System to the Angelina and Neches River Authority.

Dear Speaker Phelan:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

The bill proposes to transfer ownership of the Central Heights Water System from the City of Nacogdoches (City) to the Angelina and Neches River Authority (Authority). Section 1 defines the entities as described above. Section 2 states the time frame for the transfer is to be no later than 180 days from the effective date of the Act. The bill requires that following the transfer, the City's governing body must notify the Texas Commission on Environmental Quality (TCEQ) of the transfer from the Central Heights Water System to the Authority. The bill requires that the TCEQ update its records to reflect the transfer of Central Heights Water System to the Authority upon receipt of notice that the transfer has been completed. The bill states that there is no right of protest, objection, or administrative review of the transfer. Section 3 states the bill will take effect September 1, 2023, unless it receives the vote needed for immediate effect.

Sincerely,

A handwritten signature in black ink, appearing to read "Michele Risko".

Michele Risko, Acting Director
Water Supply Division

cc: Honorable Tracy O. King, Chairman, House Natural Resources Committee
Representative Travis Clardy, Texas House of Representatives

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 2819

Bill Number

TO: The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

3/2/2023

Date transmitted to
Governor's Office



Chief Clerk
House of Representatives

TO: Texas Commission on Environmental Quality
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

March 22, 2023

Date transmitted to
Texas Commission on Environmental Quality



Governor

TO: The Honorable Speaker of the House
The Honorable President of the Senate
The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.



Texas Commission on Environmental Quality



88R HB 02819